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**UNITED STATES DISTRICT COURT**

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**EASTERN DISTRICT OF TEXAS**

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CRAIG JAMES,

§

Plaintiff,

§

*versus*

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CIVIL ACTION NO. 1:04-CV-678

FEDERAL BUREAU OF PRISONS, *et al.*,

§

Defendants.

§

**MEMORANDUM ORDER ADOPTING THE MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Craig James, a federal inmate, proceeding *pro se*, filed this civil action against the Federal Bureau of Prisons, John M. Tombone, Constance Reese, Javier Yerena, Joni Marie Hebert, the United States of America, and unidentified defendants.

The court ordered that this matter be referred to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends granting the defendants' motion for summary judgment.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

O R D E R

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. Defendants' motion for summary judgment is **GRANTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Beaumont, Texas, this 9th day of March, 2008.

*Marcia A. Crone*

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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE